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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,071	05/22/2001	Kazuaki Sugai	CANO:027	7600
37013 7590 09/06/2007 ROSSI, KIMMS & McDOWELL LLP. P.O. BOX 826 ASHBURN, VA 20146-0826			EXAMINER KE, PENG	
			ART UNIT	PAPER NUMBER
			2174	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/863,071

Applicant(s)

SUGAI, KAZUAKI

Examiner

Peng Ke

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 5-9, 13, 17-23, 27, 30 and 35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5-9, 13, 17-23, 27, 30, and 35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/6/07
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

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DETAILED ACTION

This action is responsive to communications: Amendment, filed on 6/14/07.

Claims 1, 2, 5-9, 13,17-23, 27, 30, and 35 are pending in this application. Claims 1, 5, 9, 13, 17, 18, 19, and 27 are the independent claims. In the amendment, claims 1, 9, and 17 were amended and claims 3-4, 10-12, 14-16, 19-34 and 36 were cancelled.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 5, 6, 8, and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Ramirez Diaz US Patent US 6,476,858.

As per claim 5, Ramirez Diaz teaches a multi-window display control apparatus capable of connecting to a video device, the apparatus comprising:

A display control unit that controls a display device to display a plurality of windows including a plurality of video windows (figure 3, item 140) and an operation panel window that is separate and discrete from the video window, (figure 1, items 101-102) at least one of the plurality of the video windows displaying an image based on image data output from the video, and the operation panel window displaying an operation panel for controlling the video device; (figure 1, items 101 and 102)

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A selecting unit that selects one of the video windows;

A control unit that controls said display control unit to change a size and a display and a display position of the operation panel window corresponding to the selected one of the video windows in accordance with a changing of a size of the selected one of the video windows.

(figure. 4, column 2, lines 50-70, column 7, lines 20-35)

As per claim 6, Ramirez Diaz teaches a multi-window display control apparatus as claimed in claim 5. Ramirez Diaz further teaches said control unit controls said display control unit to change sizes of operating buttons included in the operating panel window in accordance with the changing of the size of the selected one of the video windows. (Figure 4, The operating buttons of the two left windows are larger than the operating buttons of the 8 right windows)

As per claim 8, Ramirez Diaz teaches a multi-window display control apparatus as claimed in claim 5, wherein said control unit controls said display control unit to change display position and sizes of all of the video windows and the operation panel window that are being displayed, in accordance with the changing of the size of the selected one of the video windows. (column 7, lines 5-35)

As per claim 13, it is rejected with the same rationale claim 5. Supra.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 9, 17, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramirez Diaz US Patent 6,476,858 in view of Martinez US Patent 6,111,575 further in view of Cecco et al. US Patent 6,310,631

As per claim 1, Ramirez Diaz teaches a multi-window display control apparatus comprising:

A display control unit that controls a display device to display a plurality of windows in a display screen of the display device; (figure 3, item 140; figure 1, items 101 and 102)

A selecting unit that selects one of the windows; (figure 2, item 103)

A control unit that responses to the selection of a window by said selecting unit, for controlling said display control unit to change a size of each of the windows based on the selection information. (figure. 4, column 2, lines 50-70, column 7, lines 20-35)

However, Ramirez Diaz fails to teach a storage that stores selection history information for each of the windows selected by said selecting unit;

Martinez teaches a storage that stores selection history information for each of the windows selected by said selecting unit; (see Martinez, column 8, lines 30-60; User's interaction with the application is selection history.)

It would have been obvious to an artisan at the time of the invention to include Martinez's teaching with method of Ramirez Diaz in order to allow a user to perform multiple levels of undo and redo at a time.

However, they fail to teach a control step of changing the size of each of the windows with the number of the windows kept.

Cecco teaches a control step of changing a size of each of the windows with the number of the windows kept.

It would have been obvious to an artisan at the time of the invention to include Cecco's teaching with method of Ramirez Diaz and Martinez in order to allow user to control the size and the number of panes in a window on a display screen.

As per claim 2, Ramirez Diaz, Martinez, and Cecco teach the method of claim 35. Ramirez Diaz further teaches wherein said control unit determines display position and sizes of the video window and the operation panel window such that all of windows do not overlap with each other. (column 2, lines 50-70, column 7, lines 5-35)

As per claims 9 and 17, they are rejected with the same rationale claim 1. Supra

As per claim 35, Ramirez Diaz, Martinez, and Cecco teach the method of claim 1. Ramirez Diaz further teaches wherein the plurality of windows comprise a video window, and an operation panel window that display an operation panel for controlling a video device, the video device outputting image data for displaying an image on the video window. (figure 1, items 101 and 102)

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ramirez Diaz US Patent US 6,476,858 in view of Ishida US Patent 5,684,969.

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As per claim 7, Ramirez Diaz teaches a multi-window system as claimed in claim 5. However Ramirez Diaz fails to teach wherein said control unit controls said display control unit to change numbers of operating buttons included in the operation panel windows in accordance with the changing of the size of the selected one of the video windows.

Ishida teaches wherein control unit controls display control unit to change numbers of operating buttons included in the operation panel windows in accordance with the changing of the size of the selected one of the video windows. (column 8, lines 26-64)

It would have been obvious to an artisan at the time of the invention to include Ishida's teaching with method of Ramirez Diaz in order display all the general information in a single display.

Response To Argument

Applicant's arguments with respect to claims 1, 9, and 17 have been considered but are deemed to be moot in view of the new grounds of rejection, and applicant's arguments for claims 5, 13, 18, and 20 have been fully considered but they are not persuasive.

Applicant's argument focused on the following:

A) Ramirez and Martinez fail to teach changing the size of each of the windows based on the stored selection history information.

B) Ramirez Diaz fails to teach a plurality of video windows and an operation panel window that is separate and discrete from the video windows.

Examiner disagrees.

A) Although they both fail to teach changing the size of each of the windows based on the stored selection history information, the combination of the two references teaches this limitation.

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Martinez allows users to change specs of an application window based on the stored selection history information. (see Martinez, column 8, lines 30-60) By combining this feature with Ramirez's method of changing the size of an application, (figure. 4, column 2, lines 50-70, column 7, lines 20-35) the limitation is taught.

B) The examiner does not agree for the following reasons:

During patent examination, the pending claims must be "given >their< broadest reasonable interpretation consistent with the specification." > In re Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).

Ramirez Diaz teaches this limitation because the general control panel is separate from each sub-surveillance camera window. (figure 4 Each sub-surveillance window has its own control panel (figure 2, items 120) that is separate from the general control panel (figure 1, items 101-102) and when the surveillance window is closed, the general control panel is not. (column 6, lines 40-55)

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contact information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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